

## **SBP Anti-trust Compliance Policy Statement**

The Sustainable Biomass Program (SBP) is a not-for-profit organisation, managing a certification system designed for woody biomass, mostly in the form of wood pellets and woodchips, used in energy production.

We believe that the objectives of SBP can best be advanced through collaborative efforts. SBP and its Stakeholders acknowledge and understand that their activities must at all times be undertaken with an understanding of the importance of compliance with all applicable laws and regulations, including but not limited to laws and regulations relating to anti-trust and competition.

These laws are intended to preserve and promote free, fair and open competition. Failure to abide by these laws can potentially have extremely serious consequences for SBP and SBP-certified organisations.

The policy of SBP, its Board and operating committees is therefore to conduct all of its activities in strict compliance with all applicable anti-trust and competition laws, in order to facilitate legitimate pro-competitive and other activities that help advance the objectives of the organisation. It is therefore against the policy of SBP to sponsor, encourage or tolerate any discussion, communication, information-sharing or agreement that would violate applicable anti-trust or competition laws.

Any discussion, communication or agreement relating to strategic information, including but not limited to the following, should therefore be strictly avoided:

- Actual prices, pricing policies, bids, discounts, promotions, terms of sale or credit, royalties, or license fees;
- Customer lists;
- Production costs or volumes;
- Costs, profits or turnover of individual companies, products or services;
- Offers or sales volumes to customers or territorial markets;
- Marketing plans;
- Production quotas, output, capacity or inventory;
- Purchased volumes and demand;
- Boycotts and refusals to deal with particular companies or groups;
- Agreements concerning individual company decisions on whether to produce certain products, adopt certain product designs, or carry out specific product release dates or cycles;
- Risks;
- Investments; or
- Technologies and R&D programmes and their results.

No discussion, communication or agreement of this type should occur during, in or around SBP meetings or calls, whether written, oral, formal, informal, in social settings, or “off the record.” Each SBP Board, Committee or Group member is required to stop any discussions that violate this policy and report any violations to its own appropriate counsel.

While an important objective for SBP will be development of common principles for responsible sourcing, it is stressed that such principles or associated standards will only be passed in strict

compliance with the applicable anti-trust or competition laws and upon legal review by appropriate counsel. In any event, such standards are not intended to limit any company's freedom or discretion to make its own business decisions, to prevent the manufacture or sale of any product not conforming to such a specified standard, or to have the effect of restraining competition.

Further, no activity shall include any discussion or action that might be construed as an agreement or understanding to refrain from purchasing (or limit the prices paid for) any raw materials, semi-finished products, equipment, services or other supplies from any supplier.

In each meeting, minutes will be prepared and subsequently shared with all participants and approved by participants at the subsequent meeting in SBP. The following statement will be included on the agenda of all SBP meetings:

“Attendees are kindly reminded that SBP is committed to complying with all relevant anti-trust and competition laws and regulations and, to that end, has adopted an Anti-trust Compliance Policy Statement, compliance with which is a condition of continued SBP engagement. Failure to abide by these laws can potentially have extremely serious consequences for SBP and SBP Certificate Holders. You are therefore asked to have due regard to this Policy today and in respect of all other SBP activities.”

A copy of this anti-trust compliance policy statement will be provided to all SBP Board, Committee and Group members. This statement is a general guide only and all questions concerning anti-trust and competition law compliance should be referred to appropriate counsel.

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